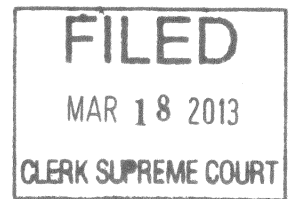


In the Supreme Court of Iowa

Request for Public Comment)
Regarding Proposed Amendments)
to the Rules Governing Court)
Interpreters—Chapters 47 and 48)
of the Iowa Court Rules)
)

Order



The Court Interpreter Policies Advisory Committee has proposed amendments to Iowa Court Rules Chapter 47—Rules on the Qualifications, Appointment, and Compensation of Court Interpreters, and to Chapter 48—Code of Professional Conduct for Judicial Branch Interpreters.

Chapter 47 was last amended in 2008. The advisory committee has identified a number of developments since then to be addressed. The committee recommends new or substantially expanded provisions of parts of chapter 47, including, among others, the following:

- Rule 47.2—Scheduling and appointing a court interpreter.
- Rule 47.5—Mandatory continuing education.
- Rule 47.8—Disciplinary actions.
- Rule 47.11—Written translations of court-related documents.

In addition, Rule 47.7 would officially establish a “Language Access in the Courts Advisory Committee,” to replace the Court Interpreter Policies Advisory Committee. The new committee would play a role in the disciplinary process established in the expanded rule 47.8 on disciplinary actions and would provide guidance to the state court administrator and the office of professional responsibility on policy-related issues. The proposed revisions to chapter 47 are sufficiently comprehensive that the committee recommends rescinding current chapter 47 and replacing it with a new chapter 47 attached to this order.

Chapter 48 of the Iowa Court Rules was adopted in 2004. The Code of Professional Conduct for Judicial Branch Interpreters “governs the delivery of services by foreign language and sign language interpreters working in the courts and other offices of the Iowa [J]udicial [B]ranch.” The code defines the duties of interpreters with the goal of enhancing the administration of justice and promoting public confidence in the courts. Advisory committee recommendations include new provisions and clarification of several topics the code of conduct addresses.

The committee recommends changing the title of Chapter 48 of the Iowa Court Rules to “Code of Professional Conduct for Court Interpreters,” and extending applicability of the code to administrative law proceedings and any legal proceedings preparatory to a court or administrative law proceeding. The recommendations include, among others, a new section providing definitions for terms used in the code and new subsections on the role and preparation of interpreters in legal proceedings. The committee also proposes a number of revisions to the comments accompanying canons contained in the code.

Prior to taking further action on the proposed recommendations, the supreme court seeks public comment on the proposed rescission and replacement of Chapter 47 of the Iowa Court Rules and the amendments to Chapter 48 of the Iowa Court Rules. Copies of the proposed rules and amendments can be found at www.iowacourts.gov/Supreme_Court/Orders/. In addition, copies of the proposed rules and amendments are available at the office of the Clerk of the Iowa Supreme Court.

This request for public comment does not imply that any proposed recommendation will be adopted.

Any interested organization, agency, or person may submit written comments. Comments about a proposed rule must refer to the specific rule

number (for example, Rule 47.8(4)) and the specific numbered line or lines to which the comments are directed. Comments sent by email must be emailed to **rules.comments@iowacourts.gov**, must state **"Court Interpreters"** in the subject line of the email, and must be sent **as an attachment to the email in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Iowa Supreme Court, 1111 East Court Avenue, Des Moines, Iowa, 50319.

Any comments received may be posted on the Iowa Judicial Branch website.

The deadline for submitting comments is 4:30 p.m. on May 17, 2013.

Dated this 18th day of March, 2013.

The Supreme Court of Iowa

By Mark S. Cady

Mark S. Cady, Chief Justice